

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
R : App al to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of

Inventor(s): Esch et al.

Appln. No.: 08

Series Code ↑

870,591

Serial No. ↑

Group Art Unit: 1754

Examiner.: Hendrickson, S.

Atty. Dkt. P

238397

M#

93200 FH

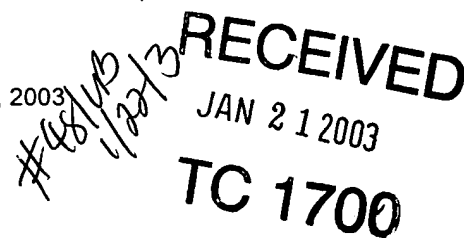
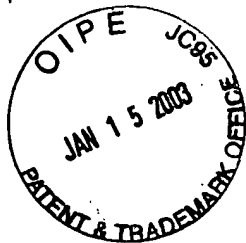
Client Ref

Filed: June 6, 1997

Title: Precipitated silica

Hon. Commissioner of Patents
 Washington, D.C. 20231

Date: January 15, 2003



Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated September 16, 2002 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable).
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee **NOT** required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd, enter	\$320/160	\$320 119/219
If box 2 above is X'd, enter	\$320/160	\$0 120/220
If box 3 above is X'd, enter	\$280/140	\$0 121/221
If box 4 above is X'd, enter nothing	- 0 - (no fee)	
8. Original due date: December 16, 2002		
9. Petition is hereby made to extend the original due date (1 mo) \$110/\$55		115/215
to cover the date this response is filed for which the (2 mos) \$410/\$205		116/216
requisite fee is attached. (3 mos) \$930/\$465		117/217
(4 mos) \$1,450/\$725		118/218
(Usable only if box 2 is X'd--- 5 mos) \$1,970/\$985	+\$110	128/228
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above		
Original due date (item 8) ; <input type="checkbox"/> with concurrently filed amendment.....	-\$0	
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+\$110
12. TOTAL FEE =		\$430

**PLEASE CHARGE
 OUR DEP. ACCT.**

(Our Deposit Account No. 03-3975)

(Our Order No. 21123

C#

238397

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

By: Atty: Richard A. Steinberg

Reg. No. 26588

Sig: Richard A. Steinberg

Fax: (703) 905-2500

Tel: (703) 905-2039

Atty/Sec: RAS/AMX

NOTE: File this c v r sh et in duplcat with PTO receipt (PAT 103A) and attachments

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320.00 CH
 110.00 CH

01 FC:1401
 02 FC:1251